

101
ORIGINAL

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

MICHAEL NORWOOD,

Plaintiff,

Civil No. 1:CV-01-1005

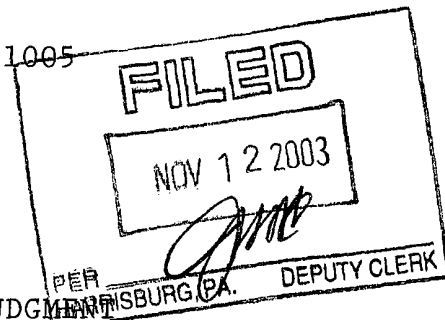
v.

(Smyser, U.S.M.J.)

DONALD ROMINE,

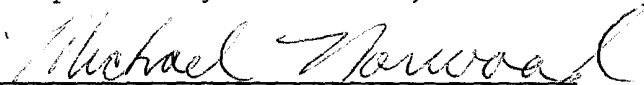
Defendant.

MOTION FOR LEAVE TO AMEND MOTION FOR JUDGMENT
NOTWITHSTANDING VERDICT, OR FOR A NEW TRIAL BY
STRIKING ANY REFERENCE TO RELIEF FROM JUDGMENT
NOTWITHSTANDING VERDICT



The plaintiff, Michael Norwood, pro se, respectfully moves this Court for leave to amend his previously filed Motion for Judgment Notwithstanding Verdict Pursuant to Fed.R.Civ.P. 50(a) or For a New Trial Under Fed.R.Civ.P. 59(a), by striking any reference to relief from judgment notwithstanding verdict under Rule 50(a). The reason for this motion is that the Court cannot grant the plaintiff relief under Rule 50(a) because he did not make a motion for judgment as a matter of law at the end of all the evidence in this case. See Fineman v. Armstrong World Industries, Inc. 980 F2d. 171, 183 (3d. Cir. 1992). Accordingly, the plaintiff seeks only a new trial under Rule 59(a) on the grounds that the verdict was against the weight of evidence.

Respectfully submitted,


MICHAEL NORWOOD, Pro Se

Dated: November 9, 2003

CERTIFICATE OF SERVICE

I, MICHAEL NORWOOD, hereby certify that I have served a true and correct copy of the foregoing:

MOTION FOR LEAVE TO AMEND MOTION FOR JUDGMENT
NOTWITHSTANDING VERDICT, OR FOR A NEW TRIAL BY
STRIKING ANY REFERENCE TO RELIEF FROM JUDGMENT
NOTWITHSTANDING VERDICT

Which is deemed filed at the time it was delivered to prison authorities for forwarding to the court, Houston vs. Lack, 101 L.Ed.2d 245 (1988), upon the court and parties to litigation and/or his/her attorney(s) of record, by placing same in a sealed, postage prepaid envelope addressed to:

Joseph Terz
Assistant U.S. Attorney
228 Walnut Street, Suite 220
Harrisburg, PA 17108

and deposited same in the United States Postal Mail at the United States Penitentiary,

Signed on this 9th day of November, 2003

Respectfully Submitted,

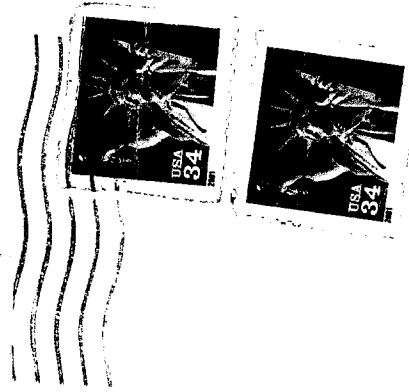
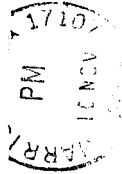

MICHAEL NORWOOD

REG. NO. 06970-014

Inmate Name: Mr. Michael Norwood

Register Number: 06970-014

United States Penitentiary
P.O. Box 1000
Lewisburg, PA 17837



CLERK
UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF PENNSYLVANIA
228 WALNUT STREET
HARRISBURG, PA 17108

17108+9998

